

[18th August 1955]

APPENDIX II.

[Vide item IV on page 34 supra.]

FIRST REPORT OF THE COMMITTEE ON GOVERNMENT ASSURANCES.

I

INTRODUCTION.

1. I, the Chairman of the Committee on Government Assurances, present this the First Report of the Committee.

2. The Committee was nominated by the Speaker on the 14th February 1955 under the provisions contained in Rule 206 of the Madras Assembly Rules, with seven members on it.

II

FUNCTIONS OF THE COMMITTEE.

3. The functions of the Committee are to scrutinise the assurances, promises and undertakings given by Ministers, from time to time, on the floor of the House and to report on—

(a) the extent to which such assurances have been implemented; and

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

III

SITTINGS OF THE COMMITTEE.

4. The Committee held two sittings after its constitution. The first sitting was held on the 22nd March 1955 and was inaugurated by the Hon. Sri J. Sivashanmugam Pillai, Speaker, Madras Legislative Assembly, who stressed the importance and usefulness of such a Committee. The Committee thereafter considered the procedural and other matters.

IV.

COMMITTEES SECTION.

5. The Madras Assembly Rules framed under clause (1) of Article 208 of the Constitution of India, which came into force on the 15th December 1954, provided for the formation of new Committees, viz.,

(1) Committee on Estimates;

(2) Committee on Subordinate Legislation;

(3) Committee on Government Assurances; and

(4) Business Advisory Committee.

In addition to the work-connected with the above Committees, the work of the Committee on Public Accounts also was taken over

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from the Finance Department by this department and is being attended to by the Committees Section of the Legislature (Assembly) Secretariat.

V

DATE FROM WHICH ASSURANCES SHOULD BE SCRUTINISED.

6. Since the Committee was a new one, the question whether assurances had to be scrutinised with retrospective effect, and, if so, from what date, came up for discussion. The Committee decided that all assurances made on the date of presentation of the Budget for 1955-56, viz., the 26th February 1955, and thereafter should be scrutinised.

VI

PROCEDURE FOR THE CULLING OUT OF ASSURANCES.

7. The Government were addressed in the matter of extracting assurances, promises and undertakings given on the floor of the House, from the debates. In the Lok Sabha Secretariat, the practice is for the Department of Parliamentary Affairs of the Government of India to go through the proceedings and extract therefrom such assurances, promises and undertakings and to communicate them to the Ministries concerned. After the receipt of the reply from the various Ministries, the Department of Parliamentary Affairs prepare a statement and lay it on the table of the House. The Committee on Assurances consider this statement. On that analogy, the question why the Public (Elections) Department of the Government of this State, which is more or less the counterpart of the Department of Parliamentary Affairs at the centre, could not undertake the work of culling out the assurances was considered by the Committee, which felt that, for the present the Legislature (Assembly) Secretariat might themselves do that work.

VII

FORMS OF ASSURANCES.

8. A list of various forms in which assurances are usually given on the floor of the House was considered by the Committee on the 26th February 1955. The list, which was placed before the Committee, though not exhaustive, was approved to be treated as a guide for the extracting of assurances. (Annexure I.)

VIII

IMPLEMENTATION OF ASSURANCES.

9. The work of the Committee was taken up after the issue of instructions by the Government in this regard on the 23rd May 1955. (Annexure II.)

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10. A statement showing the number of assurances, the dates on which they were forwarded to the Government and the number for which replies were received up to 15th July 1955 is appended. (Annexure III.)

11. Out of the 198 assurances given from the 26th February 1955 to the 10th March 1955 and communicated to the departments concerned, replies were received only in respect of 22 items till the 15th July 1955.

12. Under rule 211 of the Madras Assembly Rules, the Committee should make a report to the House at least once in six months. The Committee, which was constituted on the 14th February 1955, had, therefore, to make their first report on or before the 13th August 1955. Hence, the Legislature (Assembly) Secretariat had to hasten the placing of a statement in respect of those 22 items on the table of the House.

13. Though the Committee, at their sitting on the 22nd February 1955, decided that a two months' period from the time of giving an assurance was a reasonable time within which the department concerned could implement them normally, and though that decision was communicated to all the Departments of the Secretariat, on a perusal of the replies received from the departments concerned [vide column (6) of Annexure IV], the Committee felt that there were delays in the implementation of assurances. The Committee therefore decided that the Government should be requested to expedite their replies in respect of the assurances communicated to them from time to time.

14. The Committee also stressed that, in future, the assurances should normally be implemented within a maximum period of two months from the date of giving them, and, where it was not possible to comply with this requirement, a report giving the reasons for the delay should be made to the Committee in order to enable them to judge how far it was beyond the power of the department concerned to implement the assurances within the stipulated period, and what were the reasons responsible for the delay or inadequate implementation of the assurances.

15. The Committee examined the statement showing the action taken on the assurances and were of the view that the assurances in most of the cases had not been implemented, as would be seen from the 'Remarks' column of the statement. (Annexure IV.)

IX

SUMMARY OF RECOMMENDATIONS.

16. The following is the summary of recommendations made in this report :—

(1) All assurances made on the date of presentation of the Budget for 1955-56, viz., the 26th February 1955, and thereafter should be scrutinised.

(Paragraph 6.)

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(2) The Legislature (Assembly) Secretariat may themselves, for the present, do the work of culling out assurances.

(Paragraph 7.)

(3) A list of standard forms of assurances, promises and undertakings should be adopted in the extracting of assurances for implementation.

(Paragraph 8.)

(4) The Government should expedite their replies in respect of the assurances communicated to them from time to time.

(Paragraph 13.)

(5) The assurances should normally be implemented within a maximum period of two months from the date of giving them, and where it is not possible to comply with this requirement, a report giving the reasons for the delay should be made to the Committee in order to enable them to judge how far it was beyond the power of the department concerned to implement the assurances within the stipulated period, and what were the reasons responsible for the delay or inadequate implementation of the assurances.

(Paragraph 14.)

MADRAS,
7th August 1955.

C. KANDASWAMY,
Chairman.

ANNEXURE I.

STANDARD LIST OF FORMS CONSTITUTING ASSURANCES AS APPROVED BY THE COMMITTEE.

1. The matter is under consideration.
2. I shall look into it.
3. Enquiries are being made.
4. I shall inform the Hon. Member.
5. This is primarily the concern of Central Government but I shall look into it.
6. I shall write to the Central Government.
7. I assure the House all suggestions by Hon. Member will be carefully considered.
8. I shall study the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to the Central Government.
12. We will put the matter in the shape of a resolution.
13. I shall see what can be done about it.
14. I will look into the matter before I can say anything.
15. The suggestions will be taken into consideration.

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16. The matter will be considered at the . . . conference to be held on.
17. The matter is still under examination and if anything requires to be done it will certainly be done.
18. The matter will be taken up with the Government of. . .
19. I have no information, but, I am prepared to look into the matter.
20. Efforts are being made to collect the necessary data.
21. The suggestions made will be borne in mind while framing the rules.
22. If the Hon. Member so desires I can issue further instructions.
23. Copy of the report, when finalised, will be placed in the Library of the House.
24. I shall supply it to the Hon. Member.
25. I think it can be done.
26. If the Hon. Member's allegation is true, I shall certainly have the matter gone into.
27. We shall have to find that out.
28. I will draw the attention of the . . . Government who I hope will take adequate steps in this direction.
29. It is a suggestion for action which will be considered.
30. (Discussion on Demands.) All the points raised by various Members will be considered and the result will be communicated to each Member.
31. Information is being collected and will be laid on the table of the House.
32. I am reviewing the position.
33. Directions by the Speaker, Deputy Speaker or the Chairman involving action on the part of Ministers.
34. All specific points on which information is asked for and promised.

ANNEXURE II.

G.O. Ms. No. 1656, Public (Elections), dated the 23rd May 1955.

Under Rule 206 of the Madras Assembly Rules, a Committee on Government Assurances has been constituted to scrutinize the assurances, promises and undertakings given by Ministers on the floor of the House and to report on—

(a) the extent to which such assurances have been implemented; and

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

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2. The procedure to be followed in watching the implementation of the assurances, etc., was examined and the following instructions are issued :—

(1) The Legislature Secretariat will take roneographed copies of the debates of each day relating to the questions portion and also the statements laid on the table of the House in pursuance of the questions, and send them, together with necessary extracts from the entries made in their "record of scrutiny of debates" to the Departments of the Secretariat direct for taking necessary action;

(2) On receipt of the copy of the debates and the extracts referred to, the Departments of the Secretariat will examine the assurances and take orders in circulation;

(3) The Department of the Secretariat will send a consolidated monthly report by the fifth of every month to the Legislature Secretariat showing the action taken by them during the previous month;

(4) The Legislature Secretariat will scrutinize the reports received from the Department of the Secretariat and prepare a note regarding the implementation of the assurances for the use of the Committee; and

(5) The Legislature Secretariat will send a copy of the decisions of the Committee on the implementation made to the departments concerned.

ANNEXURE III.

Statement showing the number of assurances, the date on which they were forwarded to the Government and the number for which replies were received up to 15th July 1955.

<i>Date on which forwarded to Government.</i>	<i>Number of assurances forwarded.</i>	<i>Number of assurances for which replies were received.</i>
(1)	(2)	(3)
13th June 1955	5	1
17th June 1955	60	12
30th June 1955	69	4
8th July 1955	64	2
16th July 1955	48	3
26th July 1955	53	..
3rd August 1955	142	..
Total ..	<u>441</u>	<u>22</u>

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ANNEX

Statement of cases reported during the Seventh Session, 1955,

<i>Serial number.</i>	<i>Assurance number.</i>	<i>Date and reference.</i>	<i>Subject.</i>
(1)	(2)	(3)	(4)
HEALTH, EDUCATION AND LOCAL			
1	2	Starred Question No. 918, dated 26th February 1955 (Supplementary) by Sri M. Narayana Kurup.	Asking the Government whether it is consistent with the policy of the Government to promote basic education and to refuse, at the same time, sanction when a private individual comes forward to run a basic school and whether it is a fact that the District Educational Officer, Basic Education, recommended it while the District Educational Officer belonging to the regular line raised objections.
2	206	Starred Question No. 1268, dated 11th March 1955 (Supplementary) by Sri K. Vinayakam.	Asking the Government to revise the election rules so as to abolish the system of election by show of hands in the minor panchayats.
3	225	Starred Question No. 1303, dated 12th March 1955 (Supplementary) by Sri K. Vinayakam.	Asking the Government to state the reason for the discrepancy in the matter of allowing private practice among the Women Medical Officers in the Maternity and Child-welfare centres run by the Corporation of Madras and those employed under local bodies.
PUBLIC WORKS			
4	6	Starred Question No. 945, dated 26th February 1955, by Sri V. K. Ramaswamy Mudaliar (on behalf of Sri S. Venkatarama Ayyar).	Asking the Government to state the action taken on the representations received from the Irrigation Conservancy Subordinates' Association, Tanjore, for the revision of their pay scale and for the improvement of their service conditions.

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URE IV.

the implementation of which was not considered satisfactory.

Promise made.

When and how fulfilled.

Remarks.

(5)

(6)

(7)

ADMINISTRATION DEPARTMENT.

Now the present policy of the Government is to convert as many non-basic schools as possible into basic schools. In this connexion this will also be considered.

An extract of the proceedings of the Assembly Session, dated 26th February 1955, in respect of the questions referred to is forwarded to the Director of Public Instruction for immediate remarks. (Memorandum No. 59004-a-II/54-1, dated 6th July 1955.)

The question may be kept pending till the Government received the Report of the Elementary Education Committee and took decisions on the recommendations contained therein.

The suggestion will be examined.

The question of evolving a simplified system of voting by secret ballot for panchayat elections has been taken up by Government in consultation with the Inspector of Municipal Councils and Local Boards. A decision will be taken in the light of the experience gained in the adoption of the method of marking on ballot paper in the last election to district boards and the ensuing elections to municipal councils. (U.O. Note No. 48608-H-5/55-3, dated 30th June 1955.)

The Government may be requested to expedite their decision in the matter and communicate the same.

The matter will be looked into.

Reference issued to Commissioner, Corporation of Madras. (U.O. Note No. 48608-H-5/55-2, dated 20th June 1955.)

Since the reply is merely an interim one, the Government may be requested to expedite further action and intimate the result of the same.

DEPARTMENT.

Yes, the matter is under consideration.

The Chief Engineer, Public Works Department (General), was asked to offer his remarks on the request of the Association and he has since been reminded. The Chief Engineer's report is awaited. (U.O. Note No. 364-M/55-1, dated 3rd May 1955.)

The Government may be requested to expedite further action in the matter and intimate the result.

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<i>Serial number,</i> (1)	<i>Assurance number.</i> (2)	<i>Date and reference.</i> (3)	<i>Subject.</i> (4)
PUBLIC WORKS			
5	12	Starred Question No. 951, dated 28th February 1955, by Sri V. Balakrishnan.	Asking the Government to draw up schemes for the construction of quarters for the non-gazetted officers spread over a number of headquarters, where there is a shortage of houses for occupation.
6	14	Starred Question No. 956, dated 28th February 1955 (Supplementary) by Sri K. P. Gopalan.	Asking the Government to constitute an enquiry into the damages caused by sea erosion near Puthiyangadi in Chirakkal taluk.
7	41	Starred Question No. 984, dated 1st March 1955 (Supplementary) by Sri M. Kalyanasundaram (original in Tamil).	Asking the Government whether they would consider the question of acquiring the South Arcot Electricity Distribution Company, South Arcot, after cancelling their licence.
8	80	Starred Question No. 1066, dated 3rd March 1955 (Supplementary) by Sri S. C. Virupakshiah.	Asking the reasons for the discriminatory treatment accorded to employees serving municipal electrical undertakings, especially in view of the fact that the selection of Engineers for both the Government and the municipal services were made by the Chief Engineer for Electricity.

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*Promise made.**When and how fulfilled.**Remarks.*

(5)

(6)

(7)

DEPARTMENT—*cont.*

Proposals for the construction of quarters for non-gazetted officers have not yet been taken up. We are trying to seek aid from the Centre and if it is forthcoming the question may be considered.

The question of construction of quarters for non-gazetted officers and others was examined by Government and it was decided in G.O. Ms. No. 2810, P.W., dated 12th August 1954, that, in view of prevailing financial stringency, the need for economy in all directions and the high cost of labour and building materials, the consideration of the question be deferred to better times, for at least two years. There are no papers in Public

The assurance need not be pursued but the members may take up this point during the discussion on the Second Five-Year Plan.

Works Department regarding the question of seeking aid from the Centre for the construction of quarters for the non-gazetted officers. Industries, Labour and Co-operation, Public and Finance are being requested to state whether they have any papers on the subject and, if so, to take necessary action in the matter. (U.O. Note No. 45932-B/55-1, dated 7th June 1955.)

In view of the reports of these two officers (Collector and Chief Engineer) I do not know how the hon. Member says that the damage has been very grave and so on. Well, I have got to verify that and ask the officers once again. That is all.

Extract of the proceedings of the Assembly have been communicated to the Chief Engineer (General) and further report called for in the matter and his reply is awaited. (U.O. Notes No. 37737-S/55-1, dated 7th May 1955, and No. 37737-S/55-2, dated 6th June 1955.)

The Government may be requested to expedite their final decision in the matter and communicate the result.

The question of acquisition is under examination.

The question of drawing up a programme for the acquisition of the remaining licensee owned electrical undertakings under the Madras Electricity Undertakings (Acquisition) Act, 1954, is under the active consideration of the Government. A decision in the matter is expected to be arrived at shortly. (U.O. Note No. 37737-S/55-2, dated 6th June 1955.)

The Government may be requested to expedite their decision in the matter and communicate the result.

That matter has been engaging the attention of the Government. As question of finance was involved in this matter it was deferred in 1953. We have now taken up the matter again and we are examining the proposal.

The remarks of the Chief Engineer (Electrical) are awaited. (U.O. Note No. 37599-L/55-1, dated 7th May 1955.)

The Government may be requested to expedite their final decision in the matter and communicate the result.

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Serial number.	Assurance number.	Date and reference.	Subject.
(1)	(2)	(3)	(4)
PUBLIC WORKS			
9	92	Starred Question No. 1079, dated 4th March 1955 (Supplementary) by Sri V. Balakrishnan.	Asking whether the Government will extend the system of punching bus tickets by nippers to other private operators also.
10	188	Budget discussions relating to Demand XXXV. Capital Outlay on Irrigation, dated 10th March 1955.	Points raised by various members
11	222	Starred Question No. 1290, dated 12th March 1955 (Supplementary) by Sri K. Vinayakam.	Asking the Government whether they will revise the bus rates as 1½ annas from Kodambakkam level-crossing to Kodambakkam temple on Krithigai days.
HOME			
12	46	Starred Question No. 1004, dated 1st March 1955 (Supplementary) by Sri S. C. C. Anthony Pillai.	Asking whether the Government will consider the question of introducing a system under which the time at which a worker reports for duty and the time at which he is relieved from duty are noted in case of some workers of Government Transport, Madras, in view of the differences between the scheduled hours of work and actual hours of work.
INDUSTRIES, LABOUR AND			
13	42	Starred Question No. 989, dated 1st March 1955 (Supplementary) by Sri M. Narayana Kurup.	Asking the Government to conduct an enquiry into the conduct of the Deputy Registrar of Co-operative Societies, North Malabar, with regard to the confusion that arose in the Taliparamba Weavers' Co-operative Society, Limited.
14	78	Starred Question No. 1063, dated 3rd March 1955 (Supplementary) by Sri M. Narayana Kurup.	Asking whether the Government will examine the question of conceding the one resolution of the Cannanore P.C.C. Society, Limited, which has been rejected by the Government.

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*Promise made.**When and how fulfilled.**Remarks.*

(5)

(6)

(7)

DEPARTMENT—cont.

We will consider the suggestion with regard to private operators, but with regard to the Government Transport will continue to maintain the same system.

The remarks of the Central Road Traffic Board have been called for. (U.O. Note No. 42325-Courts IV/55-4, dated 22nd June 1955.)

The Government may be requested to expedite their final decision in the matter and communicate the same.

I shall assure the hon. Members that all these things will be carefully looked into. All these questions will be looked into and a fair and equitable order, I am sure, will be passed by Government. All these things are technical matters and I shall certainly have them looked into.

Copies of the proceeding have been received from the Legislature (Assembly) Secretariat on 30th April 1955. Remarks of the Special Chief Engineer and Superintending Engineer (Food Production), are being called for on the various point raised and they are being awaited. (U.O. Notes No. 37692-B/55-1, dated 13th May 1955 and No. 45932-B/55-1, dated 7th June 1955.)

The points may be enumerated and communicated to the Government for necessary action.

I will look into the matter.

The question was considered at the fifth meeting of City Transport Advisory Committee (1954-55) and the Transport Commissioner has been asked by the committee to approach the Government in the matter. If and when the Transport Commissioner comes up to Government it will be examined and suitable orders passed. (U.O. Note No. 45932-B/55-1, dated 7th June 1955.)

The Government may be requested to expedite their final decision in the matter and communicate the result.

DEPARTMENT.

I will look into the matter.

Transport Commissioner was requested to offer his remarks on 27th April 1955, and reminded on 10th May 1955. (U.O. Note No. 45932-B/55-1, dated 7th June 1955.)

The Government may be requested to expedite their final decision in the matter and communicate the same.

CO-OPERATION DEPARTMENT.

I shall call for a report regarding the matter referred to by the hon. Member.

A report has been called for from the Registrar of Co-operative Societies. (U.O. Note No. 39558-CI/55-1, dated 29th April 1955.)

The Government may be requested to expedite the enquiry and also the action taken on the report and communicate the result.

Yes, Sir. The matter will be considered.

The question is already under examination in consultation with the Collector of Malabar. (U.O. Note No. 39558-CI/55-1, dated 29th April 1955.)

The Government may be requested to expedite their decision in the matter.